

AO 91 (Rev. 11/11) Criminal Complaint

United States District Court
Southern District of Texas
FILED

UNITED STATES DISTRICT COURT

for the

OCT 17 2014

Southern District of Texas

SEALED

David J. Bradley, Clerk

United States of America)

v.)

Rafael Angel GARCIA)

AKA "RAFA")

YOB: 1991)

POB: United States)

Case No. *M-14-2020-M**Defendant(s)***CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of June 13, 2013 in the county of Starr in the
Southern District of Texas, the defendant(s) violated:*Code Section**Offense Description*

21 USC 846

Subject did knowingly and willfully conspire with other persons, known and unknown, for the purpose of distributing 6,133 kilograms / 13,520 pounds of marijuana a Schedule I controlled substance.


This criminal complaint is based on these facts:

See Attachment "A"

☒ Continued on the attached sheet.*approved by*
AUSTIN KUTZ
Complainant's signature
J. Brandon Wargo, HSI Special Agent
Printed name and title

Sworn to before me and signed in my presence.

Date:

October 17, 2014 2:49
Judge's signature
Peter E. Ormsby, United States Magistrate Judge
Printed name and title

City and state:

McAllen, Texas

ATTACHMENT A

Before the United States Magistrate Judge, Southern District of Texas, I, J. Brandon Wargo, Special Agent, Homeland Security Investigations, being duly sworn, depose and say the following:

On June 11, 2013, HSI Special Agents and Pharr Police Department Undercover Agents were contacted to transport several loads of marijuana from the Roma, Texas area to the McAllen, Texas area. Subsequently, HSI Special Agents obtained a tracking warrant for a Ford Excursion, the vehicle which would be used to transport the marijuana.

On June 13, 2013, Special Agents were instructed to leave the Ford Excursion at the Burger King restaurant in Roma, Texas so it could be retrieved by the marijuana smugglers. HSI Special Agents then observed the Excursion then be taken to Moncho's Store in Escobares, Texas where it was turned over to group of individuals, taken to a stash house in the area, and loaded with several bundles of marijuana. The Excursion was returned to Moncho's and the U/C took control of the Excursion. The U/C was then instructed to proceed to the McAllen area.

The U/C received calls from the smuggling organization checking on his location and ultimately providing him with instructions to deliver the vehicle loaded with marijuana to the Aguilar's Meat Market in San Juan, Texas.

After the U/C left the vehicle loaded with marijuana at the meat market it was then driven to a residence located at 812 Oblate Street, San Juan, Texas where the marijuana was removed from the Excursion. The vehicle was then returned to the meat market where it was picked up by the U/C, who was again called by the smuggling organization, instructing him to return to Rio Grande City to pick up another load of marijuana.

Upon reaching the La Rosita, Texas area, the U/C was called and instructed to leave the vehicle at a small carwash near La Rosita Gravel. Special Agents were able to observe the Excursion was then picked up from the carwash by Rafael GARCIA, who was the driver of the vehicle, and another unknown Hispanic male (UM#1) to a nearby ranch on Alvarez Road. Special Agents were able to observe GARCIA and the UM#1 proceeding through locked gates, eventually reaching a small structure in the brush. GARCIA and UM#1 then proceed to load the vehicle with bundles of marijuana. Upon leaving the ranch the vehicle was returned to the carwash where the U/C again took control and was instructed to return to Aguilar's Meat Market.

When the U/C arrived at the meat market the vehicle was again turned over to the smugglers and was taken to 812 Oblate Street where the marijuana was unloaded and the vehicle was subsequently returned to the U/C.

HSI Special Agents subsequently applied for a search warrant for the property which was signed by the Honorable United States Magistrate Judge Peter Ormsby.

Forced entry was made into the residence and Special Agents seized 1,840 bundles of marijuana, weighing 13,520 pounds or 6,133 kilograms. Every bundle of marijuana was labeled with "INGE," the U/C had observed the same marking on the bundles of marijuana loaded in the Excursion on both occasions.